



## **CEPPS/NDI Final Report**

### **SRI LANKA: PROMOTING PEACEFUL AND DEMOCRATIC ELECTIONS**

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## **I. SUMMARY**

In the wake of a twenty-year civil war that left over 65,000 dead and devastated the nation's economy, Sri Lanka is at a crucial stage in its democratic development. The declaration of a ceasefire between the Sri Lankan government and the Liberation Tamil Tigers of Elam (LTTE) in January 2002 initiated the process of economic recovery and raised citizens' hopes for lasting peace, but bringing a permanent settlement to the ethnic conflict was compromised by political instability within the Sri Lankan government. The dissolution of parliament on February 7, 2004 was the third government to collapse in the last four years.

Political instability, coupled with the tensions of the ethnic conflict, has contributed to a turbulent political environment during previous Sri Lankan elections. Over the past 20 years, local and national elections have been seriously marred by electoral violations and abuses. Reports by domestic and international election observer groups assert that elections were fraught with pre-election violence and intimidation, illegal use of government resources, impersonation of voters, election-day and post-election violence. Furthermore, the electoral system has been identified by government officials, political party leaders and Sri Lankan citizens as highly complex, cumbersome to voters and in serious need of reform. Given Sri Lanka's tumultuous electoral history, the fragile state of the unfolding peace process and the public's growing alienation from the electoral process, the 2004 elections had serious implications for Sri Lanka's transition to a peaceful and stable democracy.

In preparation for the April 2, 2004 parliamentary and subsequent provincial council elections, the National Democratic Institute (NDI) conducted a ten-month program to enhance the capacity of civil society organizations to monitor the election process and advocate for appropriate electoral reform. NDI provided technical assistance, including subgrants, to two domestic election monitoring organizations—People's Action for Free and Fair Elections (PAFFREL), and the Center for Monitoring Election Violence (CMEV). Following the conclusion of the parliamentary and provincial council elections, the Institute sponsored a series of citizen roundtables conducted by PAFFREL, CMEV, the Women and Media Collective (WMC), the National Peace Council (NPC) and the Marga Institute to assess areas for electoral reform and develop strategies for implementing reform recommendations.

NDI's domestic election monitoring partners, PAFFREL and CMEV, successfully collaborated in undertaking national election monitoring operations, producing regular reports and press releases documenting election irregularities and election violence. As these reports demonstrate, though there were incidents of politically motivated violence and intimidation, the 2004 polls were the most peaceful and democratic elections to take place in Sri Lanka for many years. Following the conclusion of parliamentary and provincial polling, NDI coordinated, managed, and supported civil society groups which conducted an inclusive, national series of roundtables on electoral reform. For the first time, these groups succeeded in developing a collective statement of reform recommendations and initiating organized reform-advocacy strategies targeting elected representatives. These program activities demonstrate a marked increase in civil society's capacity for inter-organization cooperation, election monitoring, and citizen reform advocacy in Sri Lanka

## II. BACKGROUND

Since the early 1980s, Sri Lanka has maintained a strong tradition of vigorous electoral competition with high voter participation and a well-developed civil society sector engaged in election monitoring. However, the longstanding rivalry between the two major political parties, coupled with the intensity of Sri Lanka's civil war, has undermined Sri Lankan politics and led to a turbulent electoral environment. From the early 1980s to the late 1990s, local and national elections have been seriously marred by electoral violations and fraud. Reports written by domestic and international election observer groups assert that previous elections have been fraught with pre-election and election-day violence and intimidation, illegal use of government resources, impersonation of voters, and post-election violence.

The reports likewise stressed the frustration of Sri Lankans over the complexity of the electoral system and the government's reluctance to initiate necessary reforms. Although recent elections in Sri Lanka have been generally judged free and fair by local and international officials, there are still many aspects of the electoral system that require change: women are still under-represented in politics; failed candidates can still become members of Parliament through the National List; and there is a lack of transparency and internal democracy in political parties. This record tarnishes the democratic process in Sri Lanka and threatens to undermine the legitimacy of the electoral process. As the calls for constitutional change continue to grow, the need for a blueprint for electoral reform becomes even more critical. In this context, there is a heightened need for Sri Lankan civic groups to conduct nonpartisan electoral oversight and advocate effectively for much-needed electoral reforms.

This latest round of elections arose out of the failed political "cohabitation" between President Chandrika Kumaratunga (PA) and Prime Minister Ranil Wickremasinghe (UNP) following the 2001 parliamentary elections. After being sidelined during the UNP-led government's negotiations with the LTTE, President Kumaratunga eventually took decisive measures to reassert her influence. Hoping to regain a parliamentary majority, the PA formed an alliance in January 2004 with the left-wing Janatha Vimukthi Peramuna (JVP), a Marxist-nationalist party that opposed the UNP's policy of conciliatory negotiations with the LTTE. After forging a memorandum of understanding with the JVP, President Kumaratunga announced the dissolution of parliament on February 7, 2004 and sacked an additional 39 UNP ministers to prevent the use of their posts during re-election campaigns.

In the elections of April 2, 2004, the UNP narrowly lost its parliamentary majority to the new PA-JVP alliance—now renamed the United People's Freedom Alliance (UPFA)—in what was widely reported to be the least violent election in years. President Kumaratunga immediately set out to implement an ambitious agenda including restarting the peace talks and attempting major constitutional reforms. In the months following the election, however, disputes within her governing coalition and the tenuous UPFA majority in parliament have prevented any major legislative initiatives. By December 2004 the promised resumption of talks with the LTTE still had not materialized, little progress has been made enacting electoral reforms, and the highly polarized government effectively remains in gridlock.

*PAFFREL, CMEV and NDI's Work in Sri Lanka*

NDI has over 19 years of experience in helping to develop the capacities of domestic civic organizations to monitor the integrity of election processes, promote citizen participation, and to advocate for electoral reform. Beginning in 1986, NDI has assisted over 160 organizations and coalitions in conducting domestic election monitoring in more than 65 countries and has published numerous handbooks and other materials in this area.

NDI's relationship with Sri Lankan election monitoring groups began in 1995 when several civic leaders participated in an NDI conference in Manila on election monitoring in Asia. In 1996, the Institute began working directly with PAFFREL, a leading domestic election monitoring coalition in Sri Lanka. NDI invited leaders of the Electoral Assistance Bureau in Guyana and the National Citizens Movement for Free Elections in the Philippines to join PAFFREL in a series of activities over a period of several days that sought to reawaken dormant networks of election monitoring volunteers and redefine PAFFREL's leadership role.

In August 1997, NDI again held consultations with PAFFREL on developing its organizational structures. Based on the Institute's recommendations, PAFFREL became the umbrella organization to all the civic groups in the coalition. In preparation for the March 1997 local elections and again for the October 2001 parliamentary elections, NDI provided technical assistance to PAFFREL to improve its efforts in recording election violations, pressing for electoral reforms, interacting with political parties and preparing post-election reports. The Institute also established subgrants with PAFFREL to further support the organization's development. In addition, NDI has involved PAFFREL organizers in election observing efforts in other countries in the region, including Bangladesh and the Philippines.

NDI has also worked closely with the Center for Monitoring Election Violence (CMEV), providing it with a subgrant and technical assistance to support its monitoring of the election environment for the October 2000 parliamentary election on issues related to political violence, vote rigging, voter education, election-day observing and ballot counting. CMEV and PAFFREL have organized election monitoring efforts around the country's parliamentary, provincial and presidential elections. These domestic election monitoring organizations have played a valuable role in deterring election-related violence, reporting on the electoral process, and advocating for the resolution of complaints. In December 2001, NDI sent an elections expert to assist PAFFREL and CMEV and to prepare to recruit and train domestic election monitors in advance of the December 5 elections. In addition, the Institute also sent a small Indonesian delegation to participate in PAFFREL's election-monitoring efforts. NDI sent a representative in June 2003 and an assessment team in August 2003 to Sri Lanka to meet with political groups and local and international NGOs to review the political and security environment and evaluate future program opportunities for the Institute.

### **III. PROGRAM ACTIVITIES**

#### **A. Election Monitoring**

##### *1. Technical Assistance to PAFFREL and CMEV*

In order to assist NDI's local partners, PAFFREL and CMEV, prepare for monitoring the April 2 parliamentary elections, NDI sent domestic election monitoring expert Tarikhul Ghani to Colombo from March 7 through 15, 2004 to consult with PAFFREL and CMEV on strategies and methods for monitoring the elections. This initial visit was utilized to assess the political situation, reestablish relationships with the staff of CMEV and PAFFREL, and prepare to provide technical assistance in coordinating CMEV and PAFFREL planning for upcoming national elections.

##### a. Supporting Media Monitoring

From March 20 to April 1, 2004, domestic election and media-monitoring expert Robert Norris traveled to Colombo to work with PAFFREL and CMEV to promote organizational strengthening, encourage effective communication, improve reporting techniques, and develop strategies to bring about electoral reform. Norris also provided technical assistance to the groups on strategies for engaging the media to better inform the public on election-related issues, including the role of non-partisan domestic election monitors.

##### b. Media Monitoring Conference

In order to encourage cooperation and coordination between domestic election monitoring organizations on issues of media monitoring, NDI hosted a conference on this topic on March 25, 2004 at the Marga Institute in Colombo. Representatives from PAFFREL, CMEV, CPA, the National Peace Council and the European Union (EU) attended, as well as representatives of USAID. Giovanna Maiola, a representative from the Pavian Institute of Italy and media expert with the EU mission, gave a presentation about the role of media monitoring in democratic systems and the monitoring methods used around the globe, followed by presentations from PAFFREL, the NPC and CPA.

For many of these NGOs, this meeting was the first time they had convened to discuss their individual approaches to monitoring the media and issuing public reports on the results, and they quickly established that their respective methodologies varied widely and could be contradictory. By gaining a greater understanding of each other's methods, the groups were better positioned to respond to questions when challenged by the media, as well as learn new techniques for applying the most rigorous and valid methods for media monitoring.

##### c. Roundtable Discussions on the Role of Media in Democracy

On March 30, 2004 CPA hosted a roundtable on role of the media in elections. Robert Norris, NDI representative at the conference, spoke on his experiences in the US and worldwide, the role of the media in elections, their use and misuse by governments and political parties,

different categories of media (state, private, print, broadcast), and how media might be regulated. Approximately 40 NGO representatives were in attendance, as well as local and foreign press. Norris also presented on the role of the media in the elections at a PAFFREL training session for international monitors on March 28, attended by close to 100 participants from the US, the UK, Malaysia, Indonesia, Cambodia, Canada, Australia, Bangladesh, India and elsewhere. Norris gave a presentation stressing the need for an independent, objective and accurate media providing citizens with the information they need to make an informed decision when voting. He also gave a brief overview of his observations about the media landscape in Sri Lanka leading up to the elections. Additionally, the Institute sponsored a workshop that brought reporters together with NGOs to hear the NGOs domestic monitoring plans.

#### d. NDI Monitoring Presence

In order to assess the effectiveness of program-sponsored election monitoring activities, two NDI staff—Robert Norris and Jim Oliver—traveled to Sri Lanka in advance of the parliamentary polls on April 2<sup>nd</sup>. Norris and Oliver completed pre-election visits to rural district coordinators of CMEV and PAFFREL to assess their preparations, visiting districts including Galle, Matara, Negumbo, Puttalam, Kurunegala, and Kandy. NDI staff also observed PAFFREL and CMEV’s press conferences and briefings in Colombo as well as training and orientation sessions in Colombo and rural districts. On election day for the parliamentary election, NDI staff observed volunteers from both CMEV and PAFFREL at 20 polling stations and discussed findings and recommendations with the staff of both organizations. Oliver and Norris also conducted three consultations with the Election Commissioner on electoral process and electoral reforms, including discussions of strategies for implementing future reforms.



**Media monitoring expert Bob Norris consults with representatives from PAFFREL during the parliamentary election.**

## *2. Conducting Election Monitoring for the April Parliamentary Elections*

NDI provided technical assistance, material support, and conducted regular consultations in advance of the parliamentary elections in order to coordinate the national monitoring activities of CMEV and PAFFREL. With NDI support, PAFFREL and CMEV undertook the largest collective election monitoring effort in the history of both organizations.

#### a. PAFFREL Domestic Election Monitoring

Prior to the polling on April 2<sup>nd</sup>, PAFFREL conducted 430 training programs for election monitors in 160 different polling divisions. Altogether, 19,865 local observers were trained for the April 1<sup>st</sup> elections, making this initiative the largest observer mobilization ever

conducted by PAFFREL. Training topics included the role of the PAFFREL observers in election activities, appropriate observer identification, how to engage in a proper observation, and how to report observation results. PAFFREL District offices and 173 Divisional offices were open throughout the period leading up to elections to record complaints and to coordinate observer activities.



**PAFFREL's bright yellow hats and armbands ready for use by election monitors.**

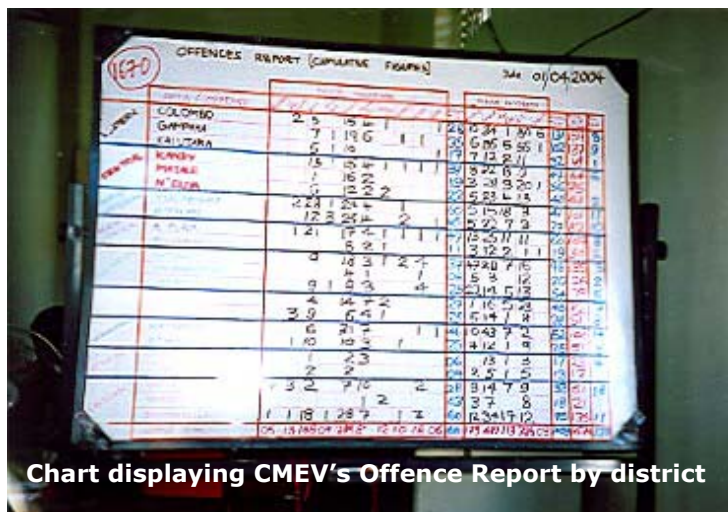
All materials needed by observers, including monitoring forms, letters of authority from the Commissioner of Elections, caps, arm-bands, identity cards, and file binders were distributed to the districts four days prior to the elections. To improve communications and coordination, PAFFREL provided mobile phones to the field coordinators. In addition, select district offices and regional offices were provided with computers and e-mail facilities in order to rapidly distribute reports and information on the day of the election back to the central office.

#### b. PAFFREL International Election Monitoring

PAFFREL also organized the activities of international election observers. Including pre-election observers, a total of 102 international observers participated in this mission, which constituted the largest international observation group in this election. All international observers were provided with training materials and participated in briefing sessions regarding Sri Lankan election laws and the current political situation. The deployment of International Observers was carried out in two stages. Some of the international observers were deployed on the evening of March 29<sup>th</sup>, to enable them to start the observation of campaigns on the very next day. This included the observers sent to North (Jaffna District) and some other adjoining districts. Due to requests from the political parties and local NGOs in the area, PAFFREL deployed as many International Observers as possible to the North and East, which included the LTTE-controlled areas. PAFFREL sent eight international observers to Jaffna, most of whom had wide experience in election monitoring. The second set of international observers was deployed on March 30<sup>th</sup>. All international observers were deployed in groups of two and were scheduled to return to Colombo by April 3<sup>rd</sup> to conduct reporting and de-briefing activities.

#### c. CMEV Pre-Election Activities

CMEV commenced its monitoring effort of the General Election on February 17, 2004, having sought and received the cooperation of the Election Commissioner and the Police Election Secretariat for its monitoring exercise. CMEV conducted violence monitoring activities for the duration of the



**Chart displaying CMEV's Offence Report by district**



election campaign ending on March 30, 2004. During this period, CMEV successfully recruited and deployed 153 field monitors covering 141 polling divisions out of the total of 160 polling divisions. 20 district coordinators were appointed and 20 district officers were also in operation by the end of campaign period. During the second and third weeks of March, CMEV deployed 25 International Observers in the Northern provinces in order to monitor election activities in districts controlled by the LTTE. They succeeded in establishing an effective monitoring network with the support of local interpreters and civil society organizations which covered most of the polling districts in the region.

During the campaign period, CMEV recorded a cumulative total of 1,485 incidences of violence of which 36.4 percent were classified as major incidents, including 5 murders and 12 attempted murders that were directly related to the election. The majority of the incidents were reported by the general public to Field Monitors, District Coordinators, and the CMEV headquarters in Colombo. The information received was corroborated and collated by CMEV analysts.

In the period prior to elections CMEV issued 13 press releases and an interim report. The Interim Report focused on the period of nominations and the campaign and was issued in Sinhala, Tamil, and English. The public statements released violence-monitoring statistics, documented bias in government controlled media, and called for strengthening the independent Election Commission and enhancing public security through police reform. CMEV also called for securing the rights of voters, especially those of Northern and Eastern province, with special attention to the voters in LTTE-controlled areas. Finally, CMEV documented the misuse of state resources to fund election-related violence, in many cases identifying alleged perpetrators.

#### d. CMEV Election Day and Post-Election Activities

During the polling on April 2<sup>nd</sup>, CMEV deployed 153 field monitors in 141 polling divisions, and 4,074 Election Day monitors who observed 6,721 polling centers. Seventy-five individuals were also deployed in 32 mobile teams as roaming monitors on Election Day and 25 international observers were deployed along with interpreters and other support staff. By the end of April, a total of 2,307 incidences of violence were identified by CMEV as election-related. Of this total, 452 occurred during the day of polling followed by 108 incidence of violence in the post-election period, including 2 murders allegedly committed by political party workers. Of the 6,721 polling centers monitored by CMEV observers, 381 were identified as problematic due to malpractice including intimidation and incidents of violence in the vicinity.

Three press releases were issued on Polling Day with the last in the form of a preliminary report on Election Day violence. All three statements highlighted the findings of CMEV monitoring throughout the voting process and gave details of incidents and acts of malpractice that took place during the voting. The press releases also focused on the situation in the Northern and Eastern provinces during the voting, and called for annulment of voting in Jaffna District in the Northern Province and Digamadulla District in the Eastern Province, urging the Elections Commissioner to order a re-poll in these areas. Following the press releases issued on Election Day, CMEV presented a draft report on April 7 at a press conference attended by

CMEV staff and a large number of media representatives. The report gave details on the profile of violence and malpractices committed on Polling Day and during the post-election period.

### *3. Election Monitoring for Provincial Elections: April through July, 2004*

NDI staff observed the domestic monitoring efforts of both CMEV and PAFFREL during polling for the North Western Provincial Council held on April 24, 2004. NDI representatives met with district staff and volunteers of CMEV and PAFFREL in both the Puttlam and Kurunegala Districts to observe and discuss pre-election preparations and discuss the post-election activities conducted in the Kurunegala District office. NDI provided technical assistance, material support in the form of subgrants, and regular consultations throughout the Provincial elections process in order to better coordinate the national monitoring activities of CMEV and PAFFREL.

#### a. PAFFREL Provincial Election Monitoring

For the April elections to the North Western Provincial Council, PAFFREL deployed 1,545 stationary monitors and 39 teams of mobile monitors to monitor polling activities at the 1,204 polling stations in the province. Almost all of these monitors had participated in the PAFFREL monitoring of the parliamentary elections held three weeks earlier; the relatively small number of new monitoring agents received three further training sessions in the period between the parliamentary and the provincial elections.



Information on the monitoring exercise was released to the public by PAFFREL through news releases to the media. These releases gave an account of the ground situation during the period as reported by monitors and also contained information on reports received by the police. The monitoring data submitted by monitors was tabulated and released as a final report which was made available to government authorities, the political parties, the media and, the public (Appendix A: PAFFREL Final Report).

In order to train monitors in advance of the six provincial council elections held on July 10, 2004, PAFFREL held 156 training workshops for a total of 5,553 election monitors. The workshops were used to give the participants training in the law relating to Provincial Council elections, election malpractices, monitoring procedures, and the post-election reporting system. On the day of the elections, PAFFREL deployed 7,073 stationary monitors and 681 mobile monitors. The mobile monitors were formed into 133 teams and each team was provided with a vehicle to tour the specific area allotted to it to observe the situation in the field. Monitoring activities covered all 117 polling divisions, and the results of polling activities were tabulated and published in a final report made publicly available and released to the media.

## **b. CMEV Provincial Election Monitoring**

CMEV commenced its monitoring effort of the Provincial Council Election held on May 28, 2004 with the end of the nominations process. During the nominations process and throughout the election campaign, CMEV conducted a comprehensive monitoring effort leading up to the six Provincial Council Elections held on July 10, 2004. On the Election Day, CMEV monitors observed 4,315 polling centers, 347 of which were identified as problematic. By the end of July CMEV had fielded 1,702 Election Day monitors as well as 37 Mobile Teams as roaming monitors on Election Day.

Following the voting process on Election Day, CMEV issued a press release recording the incidents of election related violence and malpractice. By the end of July, CMEV had received and collated a total of over 1600 reports relating to the elections and had effectively identified 881 election-related incidents of violence and malpractices. This included 431 incidents committed on the Election Day alone and 9 incidences of violence committed during the post elections period. The majority of the reports were received from the general public either through field monitors, district officers or directly to the CMEV secretariat. These reports covered different issues and incidents that were corroborated and collated by CMEV analysts (Appendix B: CMEV Final Report).

## **B. Recommendations and Strategies for Electoral Reform**

### *1. Roundtables on Recommended Reforms*

In order to generate a broad-based public dialogue on recommendations for electoral reform, NDI sponsored a series of roundtable discussions hosted by PAFFREL, CMEV, the Women and Media Collective (WMC) and the National Peace Council (NPC). These discussions included a cross section of leaders from society, including professionals, religious leaders, politicians, civil society representatives, members of the business community, women's groups and Tamils. The consultations culminated in a national convention held in Colombo on May 30, during which representatives from the preceding roundtables presented their recommended reforms. In addition to these presentations, the conference featured remarks from the Election Commissioner, Mr. Dayananda Dissanyake, and from the Police Election Secretariat, delivered by Deputy Inspector General (DIG) Gamini Navaratne. Further, preliminary public

<b>PAFFREL</b>	May 16: Professionals in Galle May 18: Religious leaders in Chilaw May 23: Politicians in Kandy May 25: Civil society organizations and the business community in Colombo
<b>WMC</b>	May 18: Women's organizations in Colombo
<b>NPC</b>	May 29: Indian Tamil community in Colombo
<b>CMEV</b>	May 30: National Roundtable in Colombo



### RECOMMENDATIONS FOR ELECTORAL REFORM

1. Ensure that at least 30 percent of elected positions are filled by women.
2. Introduce legislation to bar candidates who have been defeated in the election from becoming Members of Parliament through national list appointments.
3. Authorize the Election Commissioner or Election Commission to censure candidates who have violated election rules, including the power to annul candidacies.
4. Require candidates to declare their assets before elections begin.
5. Require candidates and political parties to keep track of and account for campaign expenditures, either to the public or to an independent auditor.
6. Place limits on election spending by candidates and by parties.
7. Assign print and electronic media (public and private) oversight to the Election Commission or a competent authority appointed by the Commission at the outset of each election campaign to ensure neutrality.
8. Create a mechanism to allow voters to recall representatives who have disregarded norms of good governance or violated Sri Lankan law.
9. Adopt regular, set dates for elections to prevent manipulation of election dates for political purposes.
10. Ensure that current laws regarding candidates with criminal records are enforced, and that they are seen to be enforced by the public.
11. Ensure that constituency or voting area boundaries do not negatively affect minority populations (such as by splitting minorities into two groups for purposes of voting, etc.).
12. Improve postal voting and advance polling procedures to ensure that citizens living abroad or those incapable of reaching the polls on Election Day are not prevented from voting.

### ISSUES FOR FURTHER DISCUSSION

1. Obtain a serious commitment by government actors to discuss and then implement a mixed proportional representation (PR) and first past the post (FPP) electoral system. This system must allow constituency representation while ensuring that seats in parliament are apportioned according to the popular vote. Particular issues for discussion include: whether a candidates' list should be open or closed; how to deal with regional parties and independent candidates; and which levels of government this system should apply to (i.e. national elections, provincial elections, local elections, etc.).
2. Examine ways of inducing parties to encourage women to run as candidates, and to provide financial resources and other support to back that encouragement.
3. Discuss the organization of a national effort to facilitate the distribution of National Identity Cards by all eligible citizens.
4. Explore prospects for constitutional change, including divestment of executive power from a single office and the creation of a bicameral legislative structure.
5. Constitute the Election Commission.

polling data from the MARGA Institute on the rural population's perception of electoral reform was presented. The union which represents election professionals, the Confederation of Public Service Independent Trade Unions (COPITSU) also submitted a report and suggestions from their survey of grassroots election officials. These varied positions on electoral reform were tied together by guest speakers and a panel discussion focused on developing common ground for change. In all, over 200 citizens participated in the six roundtables.

Although each group deliberated independently, and although there was some disagreement about particular proposals, there were many common suggestions. The following recommendations are the culmination of this deliberative process, and reflect the broad consensus for change that was expressed both at the workshop level and at the conference. From the dialogue process, 12 concrete recommendations were proposed for action, and five discussion areas were identified for further consultation and consideration (Appendix C: "From Dialogue to Action: Recommendations and Strategies for Electoral Reform in Sri Lanka"). The participating groups also produced a joint press release and held a well attended and reported press conference on the recommendations generated during the discussions.

### *2. Strategies for Implementing Reforms*

Based on the recommendations generated by the roundtable

discussions during the first phase of the program, it was determined that a further series of consultations with additional stakeholders should be undertaken to explore strategies to bring about reform. In response to the calls for further discussion, PAFFREL launched a series of consultations on strategies for electoral reform in September through November 2004 with diverse sectors of society, including members of the clergy, politicians, serving and retired public servants, teachers, active members of civil society organizations and community leaders. Twelve roundtables were held at the district level and four were held at the provincial level; a culminating national convention was held in Colombo on November 14, 2004. There were 502 participants for the consultations at the District level and 161 participants at the Provincial level; the national convention was attended by 148 participants, as well nine politicians, including three ministers and two MPs.

Participating organizations at the District level included the National Ethnic Unity Foundation in Ampara; the Human Rights Foundation in Moneragala; Sarvodaya in Hambantota; Citizens' Committee for Protecting Human Rights in Matara; Front for Protection of Human and Democratic Rights in Ratnapura; Centre for Human Development in Kegalle; Samadeepa Samaja Kendraya in Anuradhapura; SEVO Foundation in Batticaloa; Uva Agricultural Development Foundation in Badulla; Human Rights Organization in Kurunegala; Sarvodaya in Polonnaruwa; and the Chavakachcheri Chamber of Commerce in Jaffna.

In this series of consultations, participants reviewed the following issues: (a) the role of a constitution in a state; (b) the rationale for electoral reforms; (c) the anticipated effect of such reforms; (d) the strategic process of implementing electoral reforms; and (e) the role of private citizens and civil society organizations in electoral reform. Each roundtable provided participants with the opportunity to evaluate the merits of a broad array of reform proposals and develop consensus recommendations through an extended deliberative process. PAFFREL utilized the workshops to plan and implement a variety of action campaigns to advocate for electoral reforms, including postcard campaigns, petitions, consultations with political leaders, and media outreach. These activities successfully raised the national profile of the roundtable events and brought reform recommendations to the attention of local and national political activists, party workers, elected representatives and media (see Appendix D: News Clip). Roundtable participants also planned future electoral reform campaign activities.

Following the completion of the PAFFREL workshop series, the MARGA Institute organized a roundtable discussion in Colombo on December 15, 2004 with 35 leading citizens participating to further explore citizen action plans to push the electoral reform agenda.

### *3. Media Outreach*

Between September and November, PAFFREL conducted a number of radio and television programs and print media advertising to raise public awareness of electoral reforms. Eight discussions on the popular "Subharathi" program of "Lakhanda," a government radio channel, were held on the topic of electoral reform. These one-hour programs featured senior politicians, senior public officials, members of the clergy, senior police officials and key activists in civil society organizations. Phone-in facilities were provided for public question and answer sessions. In addition, two thirty-minute televised discussions were conducted on the Independent

Television Network on October 12 and 19, 2004. Discussion topics included legislation to require national identity cards to cast a ballot, and a broad discussion of electoral reforms, including women's representation. PAFFREL also published four advocacy advertisements on electoral reforms in the Nidahas and Meepura monthly newspapers from September to November, 2004.

#### **IV. RESULTS AND ACCOMPLISHMENTS**

*Objective: To enhance the capacity of civil society organizations to monitor the election process, increase the availability of unbiased information on the fairness and transparency of the election process and advocate for appropriate electoral reform*

- With support from NDI, PAFFREL and CMEV produced extensive reports on election related violence, voter intimidation and voter fraud during the provincial and parliamentary elections, providing the public with comprehensive and impartial information on the legitimacy of the elections. As these reports demonstrate, though there were incidents of politically motivated violence and intimidation, the 2004 polls were the most peaceful elections to take place in Sri Lanka for many years. This is evidenced by the 33 percent reduction in the number of reported incidents of violence (from 2596 incidents in 2001 to 1747 in 2004).
- Prior to this program, NDI's partner NGOs in this project (PAFFREL, CMEV, WMC, NPC and the Marga Institute) had little or no history of collaboration. Under this project, these organizations held six joint coordinating meetings, enabling them to share information and resources necessary undertake this national collaborative effort. This was an important achievement in raising the capacity and potential for these organizations to work cooperatively in the future.
- With NDI support, local domestic monitoring organizations were able to successfully recruit, train, support with resource materials, deploy, and monitor 100 international observers. These observers were able to cover polling stations in the North and East where domestic observers were not permitted to enter, helping to deter to fraud and violence and built public confidence in the election process in LTTE-controlled areas.
- The partner NGOs, PAFFREL and CMEV, were successful in negotiating an agreement with the Chief Election Commissioner that, for the first time, allowed domestic observers into the voting center itself during the polling process.

*Objective: To detail core elements needed in national electoral reform and recommend key strategies to achieve such reform through a post-election assessment and report.*

- Participants in NDI-sponsored roundtables not only identified viable strategies for pressuring the government to address recommended electoral reforms, but also undertook concrete steps to implement these strategies. For example, PAFFREL organized a petition and postcard campaign for citizens to draw legislators' attention to recommended



electoral reforms. At the conclusion of each of workshop organized by PAFFREL, moderators provided all workshop participants with reform advocacy postcards to be sent to the president, the prime minister, the speaker and the leader of the opposition with individualized recommendations for electoral reform. With NDI support and the participation of roundtable members, PAFFREL initiated a media campaign that included print and broadcast media and also successfully completed a petition campaign sent to the president, parliamentarians and party secretaries at the conclusion of the roundtables.

- With support from PAFFREL and CMEV, citizens successfully lobbied legislators to raise the need for electoral reform within their parties. Three delegations organized by the participants in the provincial-level roundtables (Vavuniya, Galle and Gampaha) met prominent parliamentarians and submitted memoranda outlining recommended reforms. Each delegation consisted of between 20 and 30 individuals who had participated in the consultations. At the presentation of the memoranda, the respective parliamentarians assured that they would take up the proposals with their political parties at the first available opportunity.
- | Mode of Contribution             | No. Willing to Contribute |
|----------------------------------|---------------------------|
| Participants in advocacy groups  | 234                       |
| Contributing funds               | 85                        |
| Mobilizing others                | 221                       |
| Raising awareness of the program | 235                       |
- In response to a questionnaire regarding their future engagement in the campaign for electoral reform, participants indicated a strong willingness to continue working for this cause. They indicated that they would make a contribution by participating in advocacy groups, contributing funds for activities, mobilizing others to join the campaign, and making others aware of the campaign. Of the total of 663 participants in the 12 District-level and four Provincial-level consultations, 423, (64 percent), stated that they would participate in reform campaigns in at least one of the above ways; many of the participants indicated more than one mode.
  - Supporting women's involvement in the political process was a key element of this program. At the roundtable discussion on electoral reforms organized by the women and Media Collective, participants demonstrated their commitment to including Women in decision-making process by developing an affirmative action women's agenda. All of the participating local partners supported this agenda, agreeing to a gender balance in their roundtables. The women's affirmative action recommendations were also included in the agenda of each roundtable discussion to ensure that the issue would be addressed in any discussion of electoral reform. The Election Commissioner, responding to the Women's Roundtable report presented at the national roundtable in Colombo, recommended that increased women's participation in the political process was necessary and that quotas should be set for the number of women candidates put up by the political parties.
  - Following the roundtable discussion series, PAFFREL and CMEV collaborated to produce a joint report detailing recommendations for electoral reforms and strategies for their implementation, a key objective of this program. This report was translated into Tamil and Sinhala and distributed widely to civil society organizations and political

actors to further raise awareness of electoral reform. Both organizations organized a well attended collaborative press conference on December 2004 publicizing the results of the final joint report and explaining future reform advocacy strategies.

## **V. EVALUATION**

This program made a successful contribution to promoting peaceful and democratic polls during Sri Lanka's provincial and parliamentary elections, and enabled civil society organizations to work cooperatively to identify necessary electoral reforms and advocate for their implementation.

The most significant obstacle NDI faced in launching the program was limited preparation time. With less than a month between the start of the program and the first round of elections (April 2), the Institute had to act quickly to select a country representative, identify experts in media and domestic election monitoring, and coordinate subgrants for its two local partners, PAFFREL and CMEV. Though these preparations were completed swiftly and smoothly, NDI staff felt that more time for technical assistance for its civil society partners, particularly training on media monitoring, may have proven useful. When traveling to polling stations and meeting with CMEV and PAFFREL's mobile monitoring teams during the parliamentary elections, NDI also noted that both organizations were weakest in their coverage of isolated rural areas. This critique was discussed with the core staff of both partner organizations. PAFFREL volunteers in some districts reported that though they were appreciative of the support they get from PAFFREL, they wished that PAFFREL would delegate more authority to the regions and develop facilities and a permanent infrastructure to support their efforts. There was also a request from the regions for additional ongoing program efforts after the elections.

Despite some of these challenges, NDI's partners reported that parliamentary elections in April proceeded much better than those in previous years. When making site visits to poll stations covered by PAFFREL and CMEV, election monitoring volunteers informed NDI that they were pleased with the trainings conducted by PAFFREL and CMEV. However, there was noticeable rivalry between the two organizations, due in part to the issue of stipends. While PAFFREL volunteers were proud of the fact that their organization monitors all aspects of election activities, rather than specializing violence exclusively like CMEV, they also reported some resentment that CMEV monitors received more compensation. PAFFREL has even encountered instances where volunteers it has trained have left to join CMEV for the higher stipend. As a result, many who work for PAFFREL are adverse to meeting with CMEV staff as a matter of pride.

In an effort to promote greater coordination between PAFFREL and CMEV, NDI planned a number of activities that required cooperation between the two groups. Through these activities, PAFFREL and CMEV successfully led a joint campaign to solicit recommendations for electoral reform, and also produced a collaborative report on these recommendations and strategies in December 2004. In addition to encouraging cooperation between PAFFREL and CMEV, this program also provided a valuable forum for civil society organizations such as the Marga Institute, the Women and Media Collective and the National Peace Council to work



together, in some cases for the first time. NDI was pleased with the quality of the workshops and roundtables conducted by its local partners, and was impressed by the organizations ability to channel citizen's desire for electoral reform into actions that have the potential to influence Sri Lankan policy.

This program succeeded in meeting its stated objectives, especially in terms of supporting electoral reform. Policy change is often a long-term process, however, and it may not be possible to gauge the full impact of this program until months or years from the project's end date. To continue the progress made so far, NDI hopes that its partner organizations will receive ongoing support and assistance to continue promoting citizen engagement in the political process.